

EXHIBIT 2

DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017
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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

MICHELLE FLANAGAN, SAMUEL
GOLDEN, DOMINIC NARDONE,
JACOB PERKIO, and THE
CALIFORNIA RIFLE & PISTOL
ASSOCIATION,

Plaintiffs,

vs.

No. 2:16-cv-06164
JAK-AS

CALIFORNIA ATTORNEY
GENERAL XAVIER BECERRA, in
his official capacity as
Attorney General of the
State of California,
SHERIFF JAMES McDONNELL, in
his official capacity as
Sheriff of Los Angeles
County, California, and
DOES 1-10,

Defendants.

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DEPOSITION OF  
DOMINIC NARDONE

Wednesday, April 26, 2017

11:50 A.M. - 12:20 P.M.

300 S. Spring Street, Suite 1702  
Los Angeles, California

Nancy Collier Hamada, CSR No. 5819



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INFORMATION REQUESTED

(NONE)

WITNESS INSTRUCTION NOT TO ANSWER

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DEPOSITION OF DOMINIC NARDONE

Wednesday, April 26, 2017

DOMINIC NARDONE,

having been first duly sworn, testifies as follows:

EXAMINATION

BY MS. LI:

Q My name is Patty Li. I represent the Attorney General of California in this litigation which is called Flanagan vs. Becerra.

Can you please state your full name and spell your last name just for the record?

A Dominic Anthony Nardone. I don't use my middle name. N-a-r-d-o-n-e.

Q Thank you. Do you understand that you are testifying today under the same oath that you would take if you were testifying in a courtroom?

A Yes.

Q Have you ever had your deposition taken before?

A Yes.

Q When was that?

A 35 years ago.

Q Okay. So it's been a little while?

1 eventually that you could carry a weapon outside  
2 your home in public, but for whatever reason you  
3 could only carry it openly and you were not  
4 permitted to carry it concealed, or that was not  
5 available to you, the concealed option, you would  
6 still take the option to carry openly?

7 A Not happily, but I would take it.

8 Q Why would you prefer concealed over open?

9 A My opinion, and this is strictly a  
10 personal opinion, I think if you're carrying an  
11 open gun and you're not a police officer or  
12 someone that normally carries a gun of that  
13 profession, I think you would be stopped by every  
14 police officer every time you take a walk. I  
15 think when you're showing something like that off,  
16 if there's a criminal coming up behind you and  
17 you're showing a gun, what do you think the first  
18 thing he's going to reach for when he puts the  
19 knife in your back? He's going to reach for the  
20 gun, and now he's got a knife and a gun, and I  
21 couldn't do nothing about it because it was shown.

22 If it was concealed, he wouldn't have  
23 known I had it, and I would have had the  
24 opportunity to protect myself. I never want to  
25 hurt somebody, never.

DOMINIC NARDONE  
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

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1 Q Do you have any experience with carrying  
2 firearms openly? Have you ever carried openly  
3 before in California?

4 A Well, the only experience I had is very  
5 brief. Well, in the service, you know. And when  
6 I had my concealed in New York, when you have a  
7 concealed you're allowed to carry openly also. I  
8 don't know if it's the same here, but you're  
9 allowed to do either one, and I stopped at a donut  
10 shop once, and it was openly. It was warm  
11 weather, so I took my jacket off and it was open.  
12 I mean, you could see the gun hanging at my side.

13 I sat down and was having a cup of coffee  
14 and a donut, and two police officers come up  
15 behind me. The poor owner, he got scared, and I  
16 don't blame him. You know, he got scared and  
17 called the police, and they came up behind me with  
18 their guns drawn, and this was 35 years ago or  
19 40 years ago, whatever, and they just wanted to  
20 see proof that it was legal, which I did, and they  
21 said okay, you know, no problem.

22 But I think in today's times it may be  
23 different. In today's times because of the  
24 stupidity of criminals, they're hunting for police  
25 officers and police are scared, and I don't blame



1 them.

2 So I don't -- I prefer not to carry an  
3 open gun where you're almost looking for trouble.

4 Q So your preference would be to carry  
5 concealed?

6 A Yes. The less people that know your  
7 business, the better, quietly.

8 Q And would you want the ability to carry  
9 concealed whenever you leave your house?

10 A Yes, just normal. Not that I would every  
11 day, you know. I'm not going to carry one to the  
12 grocery store, or you know, nothing like that.

13 Q But you would like the option?

14 A Yes.

15 Q And you would like the option to carry  
16 wherever you would like in public, or are there  
17 certain areas that you would think it would be  
18 okay for them to be off limits for having  
19 concealed weapons?

20 A I don't know of any place that would be  
21 off limits other than buildings like this.

22 Q By "buildings like this" do you mean a  
23 government building?

24 A Yeah, I think it's off limits. I think  
25 the law is it's off limits here. I don't know.